

STATE OF RHODE ISLAND  
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to repeal the following DCYF rule:

**GUIDELINES FOR CONTRACTS**

This rule is being repealed because it is addressed in other existing or proposed new rules.

In the repeal of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This repealed rule is accessible on the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401 528-3685). Interested persons should submit data, views or written comments by July 6, 2010 to Susan Bowler, Administrator for Families and Children, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 ([Susan.Bowler@dcyf.ri.gov](mailto:Susan.Bowler@dcyf.ri.gov)).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

## **Guidelines for Contracts**

Rhode Island Department of Children, Youth and Families

**Policy: 100.0095**

*Effective Date: Sept. 29, 1986 Revised Date: January 22, 1990 Version: 2*

The following are specific Departmental guidelines which shall be utilized for the procurement and processing of all contracts. This is in conformance with Rhode Island Department of Administration regulations governing the purchase of services. Procedures for obtaining services through the DCYF #005 process are outlined in Policy 700.0020 Support Services.

### **Related Procedures**

Contracts

Contract Development and Processing

## Contracts

### **Procedure From Policy 100.0095: Guidelines for Contracts**

- ~~A. When a vendor from outside the Department is hired to perform specialized services, a formal contract must be executed between the Department and the vendor.~~
- ~~B. The Regional/Assistant Director or designee of the Division in need of the service initially solicits a written proposal(s) for each specific service for which a contracted vendor is to be used:~~
  - ~~1. Proposals shall be solicited through public advertising unless one of the following alternatives is utilized. Associate Director of Management and Budgeting initials Document Summary and Approval Routing form (DCYF #014) signifying exemption:~~
    - ~~a. Contact with previously qualified vendor; continuation or expansion of program.~~
    - ~~b. Contact with appropriate professional organization.~~
    - ~~c. Contact with highly specialized individual who possesses the skills and knowledge required to provide the specific service that cannot be provided by any other vendor.~~
  - ~~2. One staff member from the applicable Unit within the Division is designated, when appropriate, as Program Representative to receive and review the proposal(s) and to coordinate the routing of the contract for approval.~~
  - ~~3. Based on the service stipulated, proposals should include:~~
    - ~~a. A brief description of the specific goals and objectives to be accomplished.~~
    - ~~b. An outline of the methods to be used to provide the service.~~
    - ~~c. A description of the format including length of time it will take to provide the service.~~
    - ~~d. A breakdown of the total cost including an itemized list of any additional charges.~~
- ~~B. Upon receipt of a proposal, the Program Representative reviews it for content, completeness, and applicability to the service need:~~
  - ~~1. The proposal is also reviewed by the Regional/Assistant Director or designee.~~
  - ~~2. If clarification of a proposal is needed, the Program Representative makes direct contact with the prospective vendor.~~
  - ~~3. Once the Program Representative has received, reviewed, and approved the proposal, he/she develops a contract and submits it to the Regional/Assistant Director or designee for final approval prior to processing.~~

## Contract Development and Processing

### **Procedure From Policy 100.0095: Guidelines for Contracts**

- ~~A. After the proposal has been approved, the assigned Program Representative formulates a contract. The example of a contract outlined in Addendum I may be used as the contract or may be used as a guideline in formulating a program specific contract by program representatives in most divisions. Staff within Program Development, Contracts and Standards Division often utilize a more comprehensive and detailed document which includes a program addendum and budget. The following information is always included in the contract:~~
- ~~1. Vendor name and address.~~
  - ~~2. Vendor Social Security number or federal employer identification number (FEIN).~~
  - ~~3. Type of service to be rendered.~~
  - ~~4. Unit cost and total cost.~~
  - ~~5. Method of payment.~~
  - ~~6. Beginning and ending dates.~~
- ~~B. The contract is reviewed by the Director prior to submission to the vendor.~~
- ~~C. Five (5) copies of the contract must be signed as originals by the vendor with the stipulation that all contracts rely on the approval of funds.~~
- ~~D. The Program Representative submits the five (5) copies of the contract, with original signatures, for content and funding approval in accordance with the following procedures:~~
- ~~1. The Program Representative completes a Document Summary and Approval Routing (DCYF #014);~~
  - ~~2. When a contract is entered into to fulfill the requirements of a court order, a copy of the court order must be included in the contract package that is routed for approval;~~
  - ~~3. The DCYF #014, five (5) copies of the contract signed as originals, and the court order, if applicable, are routed to the Regional/Assistant Director, the Associate Director, the Chief Legal Counsel, Management and Budgeting, and finally to the Office of the Director for final approval;~~
  - ~~4. Subsequent to approval at all levels, the five (5) originally signed copies of the contract and the DCYF #014 are forwarded to the Division of Management and Budgeting for completion and routing of a Purchase Requisition or processing through vendor payroll.~~
- ~~Procedures outlined below are followed when a Purchase Requisition is necessary:~~
- ~~a. The five (5) originally signed copies of the contract are forwarded to Management and Budgeting for processing of a Purchase Requisition.~~

- ~~b. The Purchase Requisition and four (4) originally signed copies are sent to the Department of Administration, Division of Budget, for processing.~~
- ~~c. The Division of Budget gives fiscal approval and forwards the material to the Division of Purchases.~~
- ~~d. The Division of Purchases assigns a Purchase Order number and forwards the material to the Division of Accounts and Control.~~
- ~~e. The Division of Accounts and Control encumbers funds to pay for the service and sends a copy of the purchase order and signed contract to the vendor and DCYF Division of Management and Budgeting.~~
- ~~5. The Division of Management and Budgeting forwards to the Program Representative a copy of the contract or the approval for payment through vendor payroll;~~
- ~~6. Upon completion of the service and/or in accordance with the terms of the contract, the vendor invoices the Department:~~
  - ~~a. The original invoice is forwarded to the Division of Management and Budgeting at the following address:  
Rhode Island Department of Children, Youth, and Families  
Division of Management and Budgeting  
Business Office, 4<sup>th</sup> Floor  
101 Friendship Street  
Providence, Rhode Island 02903~~
  - ~~b. A copy of the invoice is forwarded to the Program Representative.~~
- ~~7. The Business Office will pay the vendor in accordance with the terms of the contract, upon the receipt of the original invoice. If there is any problem with the contract that the Program Representative is aware of, he or she must immediately notify the Business Office;~~
- ~~8. The Program Representative submits his/her copy of the invoice to the Regional/Assistant Director or designee for approval; and~~
- ~~9. The Program Representative forwards the approved copy of the invoice to the Business Office.~~